

ESTTA Tracking number: **ESTTA754583**

Filing date: **06/24/2016**


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91227891
Party	Defendant Jobing.com, LLC
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Attachments	347845736_2.pdf(161276 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**


Take-Two Interactive Software, Inc., Plaintiff, v. Jobing.com, LLC, Defendant.	Opposition No. 91227891
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ANSWER TO PLAINTIFF’S NOTICE OF OPPOSITION

Defendant, Jobing.com, LLC (“Defendant”), is the owner of U.S. Trademark Application Serial No. 86673372 for  covering services in class 41 described as follows:

“Educational and training services, namely, providing training in business and job skills and office technology; Providing training in the field of job searching, career development, self marketing, interview skills and research workshops; training services for personnel, namely, providing on-line courses of study in the fields of information technology, software use, job and business skills; career counseling services; education and training, namely, providing classes and seminars in the field of career management and career transition; entertainment and educational services, namely, conducting seminars, workshops, conferences and exhibitions featuring instructional presentations in the fields of personal development, career development, relationship building and social networking; entertainment and educational services, namely, conducting discussion groups in the fields of personal development, career development, relationship building and social networking; on-

line journals, namely, blogs featuring information about personal development and career development; online electronic publishing services, namely, publication of text and graphic works of others featuring information regarding topics of professional interest” (“Defendant’s Mark”). Defendant’s Mark was published in the Official Gazette on or about November 17, 2015. On or about May 16, 2016, Plaintiff, Take-Two Interactive Software, Inc. (“Plaintiff”), filed a Notice of Opposition (the “Notice of Opposition”) against Defendant’s Mark on the basis of an alleged likelihood of

confusion with and dilution by blurring of Plaintiff’s  marks as set forth in the Notice of Opposition (collectively, “Plaintiff’s Mark”).

Defendant’s deadline to file an Answer to the Notice of Opposition is June 25, 2016. Defendant answers the allegations in the Notice of Opposition as follows. Paragraph numbers in this document correspond to the paragraph numbers in the Notice of Opposition.

1. Defendant is without sufficient knowledge or information upon which to form a belief as to the truth of the allegations contained in Paragraph 1, and on that basis denies each and every allegation thereof.
2. Defendant is without sufficient knowledge or information upon which to form a belief as to the truth of the allegations contained in Paragraph 2, and on that basis denies each and every allegation thereof.
3. Defendant is without sufficient knowledge or information upon which to form a belief as to the truth of the allegations contained in Paragraph 3, and on that basis denies each and every allegation thereof.

4. Defendant is without sufficient knowledge or information upon which to form a belief as to the truth of the allegations contained in Paragraph 4, and on that basis denies each and every allegation thereof.
5. Defendant is without sufficient knowledge or information upon which to form a belief as to the truth of the allegations contained in Paragraph 5, and on that basis denies each and every allegation thereof.
6. Defendant is without sufficient knowledge or information upon which to form a belief as to the truth of the allegations contained in Paragraph 6, and on that basis denies each and every allegation thereof.
7. Defendant is without sufficient knowledge or information upon which to form a belief as to the truth of the allegations contained in Paragraph 7, and on that basis denies each and every allegation thereof.
8. Defendant is without sufficient knowledge or information upon which to form a belief as to the truth of the allegations contained in Paragraph 8 and each of the subparagraphs therein (A-K), and on that basis Defendant denies each and every allegation thereof.
9. Defendant is without sufficient knowledge or information upon which to form a belief as to the truth of the allegations contained in Paragraph 9, and on that basis denies each and every allegation thereof.
10. Defendant admits all the allegations set forth in Paragraph 10 except Defendant specifically denies the allegations made in Paragraph 10 concerning Defendant's dates of first use and first use in commerce of Defendant's Mark, which are inaccurate because they omit the wording "at least as early as" which Defendant included in its application for Defendant's Mark.

11. Defendant is without sufficient knowledge or information upon which to form a belief as to the truth of the allegations contained in Paragraph 11, and on that basis denies each and every allegation thereof.
12. Defendant is without sufficient knowledge or information upon which to form a belief as to the truth of the allegations contained in Paragraph 12, and on that basis denies each and every allegation thereof.
13. Defendant denies each and every allegation contained in Paragraph 13.
14. Defendant denies each and every allegation contained in Paragraph 14.
15. Defendant denies each and every allegation contained in Paragraph 15.
16. Defendant denies each and every allegation contained in Paragraph 16.

AFFIRMATIVE DEFENSES

First Affirmative Defense

Plaintiff fails to state a claim upon which relief may be granted.

Second Affirmative Defense

Plaintiff's claims are barred by the doctrine of estoppel.

Third Affirmative Defense

Plaintiff's mark is weak.

Fourth Affirmative Defense

Defendant further affirmatively alleges that there is no likelihood of confusion, mistake or deception because Defendant's services and Plaintiff's goods/services are unrelated and are marketed in different channels of trade to different classes of purchasers.

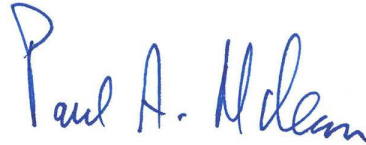
Fifth Affirmative Defense

Plaintiff's Mark is not famous and is not subject to broad protection.

WHEREFORE, Defendant prays that Opposition No. 91227891 be dismissed with prejudice.

Respectfully submitted,

GREENBERG TRAURIG LLP



By: _____
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CERTIFICATE OF SERVICE

I do hereby certify that the foregoing ANSWER TO PLAINTIFF'S NOTICE OF OPPOSITION was served on Plaintiff by First Class U.S. Mail at the following address of its attorney of record:

Andrea L. Calvaruso
Kelley Drye & Warren LLP
101 Park Avenue
NEW YORK, NY 10178

this 24th day of June, 2016.

By: _____
Grace Montenegro